



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 5**

**77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590**

**JUL 16 2662**

REPLY TO THE ATTENTION OF

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

US EPA RECORDS CENTER REGION 5



413943

Lee Larwick  
Madison Complex, Inc.  
1720 Madison Street NE  
Minneapolis, MN 55413-1188

Re: Notice of Intention to File Notice of Lien Under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), on property located 1815 Jefferson Street, Minneapolis, Minnesota.

Dear Mr. Larwick:

This letter serves to notify you that the United States Environmental Protection Agency ("U.S. EPA") intends to perfect a lien on real estate described in the attached "Notice of Federal Lien."

By statute, a lien exists upon all real property upon which U.S. EPA has spent money to perform a removal and/or remedial action. U.S. EPA has reason to believe that: (a) Madison Complex, Inc. is liable to the United States under CERCLA for clean-up costs as owner and operator of the Site property and (b) the real estate that is legally described in the enclosed Notice is subject to or affected by a removal and/or remedial action under CERCLA. Under CERCLA §107(a) and §101(9), liable persons are those who own any site or area where a hazardous substance has been deposited, stored, disposed, placed, or otherwise come to be located.

U.S. EPA does not believe you are entitled to the defenses to liability under CERCLA §107(b). If you wish to object to the imposition of this lien on the real estate described in the attachment hereto, you may do so in one of two ways:

The first way is to provide written objections. Your objections must be post marked on or before fifteen (15) days from receipt of this Notice of Intention to File Notice of Lien. Each objection must be separately numbered and include the factual and/or legal basis for the objection.

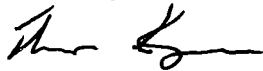
The second way is for you to request an informal conference with U.S. EPA. You must provide a written request for an informal conference within ten (10) days from receipt of this Notice of Intention to File Notice of Lien. This request must contain a written statement of the objections you have to imposition of this lien and the factual and/or legal basis for such objections.

Regardless of the option you choose, you must provide information establishing a defense authorized under CERCLA §107(b) or other information establishing that this lien will be wrongfully imposed. U.S. EPA will not consider objections or comments based on CERCLA §§113(h), 104(a) or other issues not relating to the imposition of this lien. Written objections or requests for informal conferences should be submitted to Ms. Regina Kossek, Regional Judicial Officer, U.S. Environmental Protection Agency, Region 5, C-14J, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

U.S. EPA also requests that you notify it of your intent to sell the property identified above and in the enclosed Notice at least ten (10) working days before any actual transaction is scheduled to take place.

U.S. EPA intends to impose this lien pursuant to CERCLA §107(l), to secure cleanup costs incurred by the Government at the above legally-described Site. The lien imposed by U.S. EPA will continue to be in effect until the costs of clean-up are paid by the liable person(s) or until the liability for the costs becomes unenforceable through operation of the statute of limitations under CERCLA §113. Should you have any questions, you or your attorney may contact me at (312) 886-0562.

Sincerely,



Thomas Krueger  
Associate Regional Counsel

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**Notice of Federal Lien Under the Comprehensive Environmental Response,  
Compensation, and Liability Act of 1980, as amended**

In the Matter of: Western Minerals Industrial Site  
Madison Complex, Inc.

As provided by Section 107(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. Section 9607(l) et seq., notice is hereby given that all costs and damages for which the current title holder Madison Complex, Inc. is liable under CERCLA Section 107(a), constitutes a lien in favor of the United States upon all real property and rights to such property, including fixtures, which belong to the above named and which are subject to, or affected by, the response actions taken by U.S. EPA at and in connection with the property at 1720 Madison Street, NE. The property includes, but is not limited to, the real estate described in the following legal description and all associated buildings and fixtures:

Beginning At A PT 11 Ft S From S Line Of Blk 23 And 120 Ft W From W Line Of  
Madison St NE As Opened Then E 120 Ft To Said W Line Then N Along Said W Line

This lien shall continue until the liability for the costs (or for any judgment against the above named person arising out of such liability) is satisfied, or becomes unenforceable through the operation of the statute of limitations as provided by Section 113 of CERCLA.

IN WITNESS WHEREOF, the United States has caused this instrument to be executed through the United States Environmental Protection Agency, in his official capacity as the Director, of the Superfund Division of the United States Environmental Protection Agency, Region 5.

Dated at Chicago, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
William E. Muno, Director  
Superfund Division  
U.S. Environmental Protection Agency  
Region 5  
Chicago, IL 60604